

1 BRANDON M. TESSER (SBN 168476)  
(brandon@tessergrossman.com)  
2 TESSER | GROSSMAN LLP  
11990 San Vicente Boulevard, Suite 300  
3 Los Angeles, California 90049  
Telephone: (310) 207-4558  
4 Facsimile: (424) 256-2689

5 Attorneys for Plaintiff  
ELOHIM EPF USA, INC.  
6

7 **UNITED STATES DISTRICT COURT**  
8 **SOUTHERN DISTRICT OF NEW YORK**

9 ELOHIM EPF USA, INC., a California  
Corporation,  
10 Plaintiff,

11 vs.

12 162 D & Y CORP., a New York  
corporation d/b/a FLOWER  
KARAOKE; DONG HYUN HA, an  
13 individual; MANHATTAN ZILLER  
ZILLER, INC., a New York corporation  
14 d/b/a K2 KARAOKE; YURIND LEE,  
an individual; Y & P BAYSIDE CORP.,  
15 A New York corporation d/b/a HAPPY  
KARAOKE; PHIL SOOK CHO, an  
16 individual; SING SING BELL, INC., a  
New York corporation d/b/a  
17 CHRISTMAS KARAOKE; JIN E AN,  
an individual; MUSICBOX KTV, INC.,  
18 a New York corporation d/b/a  
MUSICBOX K-TV; ANTHONY KIM,  
19 an individual; M & S MUSIC STUDIO,  
INC., a New York corporation d/b/a GA  
20 GOP A KARAOKE; HYE KYUNG  
HAN, an individual; SS NOBLESSE  
21 HOUSE, INC., a New York corporation  
d/b/a NOBLESSE HOUSE; YINGHUA  
22 HUANG, an individual; PLACE OF  
HAPPY & LUCKY INC., a New York  
23 corporation d/b/a THE KING  
KARAOKE; GUNHA SONG, an  
24 individual; NORAE HAHNUN JIB  
CORP., a New York corporation d/b/a  
25 OPEN KARAOKE; DONG HYUN HA,  
an individual; BIZMAX NY, Inc., a  
26 New York

27 Defendants.  
28

**USDC SDNY**  
**DOCUMENT**  
**ELECTRONICALLY FILED**  
**DOC #:** \_\_\_\_\_  
**DATE FILED:** 2/11/2020

Case No.: 1:19-cv-02431-AJN

**ORDER FOR PLAINTIFF'S  
LETTER MOTION TO COMPEL  
FILED JANUARY 22, 2020 [Dkt.  
No. 72]**

Complaint Filed: March 19, 2019

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

Defendants, 163 D & Y Corp., D/B/A Flower Karaoke, Anthony Kim, David Rhee, Dong Hyun Ha, Eunsik Sun, Y & P Bayside, Corp., D/B/A Happy Karaoke, Harmony Karaoke KTV, Inc. D/B/A Harmony Karaoke, Hyun Hak Yi, Joseph N. Zoino, Place of Happy & Lucky Inc. D/B/A The King Karaoke, Kyung A. Chung, Kyung Soon Nam, Musicbox KTV, Inc., D/B/A Music Box K-TV, SS Noblesse House, Inc. D/B/A Noblesse House, Phil Sook Cho, G S Global Corp D/B/A Red, Sagwa Namoo, Inc. D/B/A Sagwa Namoo, and YS2 Enterprises, Inc. D/B/A CEO Business Club (collectively “Defendants”) failure to respond to Elohim’s Request for Admissions, Special Interrogatories, Request for Production of Documents and Requests For Entry Upon Land and Inspection was without justification and all objections are therefore waived.

1. Serve full and complete responses, without objection, to Elohim's Requests for Admission within thirty (30) days of this Order;
2. Serve full and complete responses, without objection, to Elohim's Requests for Production of Documents within thirty (30) days of this Order;
3. Produce all responsive documents requested in Elohim's Requests for Production of Documents, without objection, within forty-five (45) days of this Order.

1 4. The Entity Defendants (163 D & Y Corp., D/B/A Flower Karaoke, Y  
2 & P Bayside, Corp., D/B/A Happy Karaoke, Harmony Karaoke KTV, Inc. D/  
3 B/A Harmony Karaoke, Place of Happy & Lucky Inc. D/B/A The King  
4 Karaoke, Musicbox KTV, Inc., D/B/A Music Box K-TV, SS Noblesse  
5 House, Inc. D/B/A Noblesse House, G S Global Corp D/B/A Red, Sagwa  
6 Namoo, Inc. D/B/A Sagwa Namoo, and YS2 Enterprises, Inc. D/B/A CEO  
7 Business Club) must within ten (10) days of this Order provide proposed  
8 dates upon which they will make their business premises available for  
9 inspection in accordance with Plaintiff's Requests For Entry Upon Land.  
10 Notwithstanding the foregoing, all inspections must be completed by no later  
11 than March 31, 2020.

12 5. Soo Hyun Kim, a partner of the law firm of Kim & Cha, LLP, shall  
13 pay sanctions to Plaintiff in the amount of \$750 to compensate Plaintiff for  
14 the reasonable expenses associated with compelling this discovery. These  
15 sanctions must be paid to Plaintiff's counsel within ten (10) days of this  
16 Order.

17  
18  
19 **IT IS SO ORDERED.**

20  
21 Dated: February 11, 2020



22 Hon. Stewart D. Aaron  
23 Magistrate Judge  
24  
25  
26  
27  
28